# **EXHIBIT K**

**TO:** Any Agent of Wallace Morgan, Inc. Responsible for Marketing Assurance Wireless' services for the Lifeline Program at Any Time from July 7, 2012 to the Present

**RE:** Right to Join Lawsuit to Recover Unpaid Wages

THE PURPOSE OF THIS NOTICE IS TO INFORM YOU OF YOUR RIGHT TO JOIN A MINIMUM WAGE AND OVERTIME LAWSUIT FILED ON BEHALF OF CURRENT AND FORMER AGENTS OF WALLACE MORGAN, INC. WHO MARKETED ASSURANCE WIRELESS' SERVICES FOR THE LIFELINE PROGRAM

#### 1. What Is This Lawsuit About?

This lawsuit is known as *Martin v. Sprint/United Management Company*, No. 15-cv-05237-PAE, and is pending before the Honorable Paul A. Engelmayer of the Southern District of New York. This lawsuit was filed by certain Agents who were employed by Wallace Morgan, Inc. and claim that, between July 7, 2012 to the present, Wallace Morgan, Inc. failed to pay minimum wage and overtime to Agents as required by the Fair Labor Standards Act ("FLSA").

Defendants contend that Plaintiffs' claims are without merit and are vigorously defending the lawsuit. Defendants deny that they violated the FLSA in any way, willfully or otherwise, and they claim that they have properly paid Agents who were employed by them.

The Court has not made any ruling on the merits of Plaintiffs' claims and has not found that they are entitled to any wages.

## 2. Why Did I Get this Notice?

You are receiving this notice because the Court permitted the Plaintiffs to send this notice to everyone who worked as an Agent for Wallace Morgan, Inc. responsible for marketing Assurance Wireless services for the Lifeline Program from July 7, 2012 to present, which includes you according to the Defendant Wallace Morgan's records. The purpose of this notice is to inform you and other people who worked as Agents at Wallace Morgan, Inc. of your right to join this lawsuit, how to joint this lawsuit, and how your rights may be affected by this lawsuit.

#### 3. How Do I Join?

To participate, you must fill out and send the enclosed Plaintiff Consent Form to the Plaintiffs' attorneys postmarked no later than [60 days from the date notice is sent]. You may email the attachment, fax or mail the signed consent form to:

Nichols Kaster, PLLP Attn.: Anna P Prakash 80 South Eighth Street, Suite 4600 Minneapolis, Minnesota 55402

Fax: (612) 215-6870 Email: <u>forms@nka.com</u>

Toll-Free Telephone: (877) 448-0492 (no faxes to this number)

#### 4. What Happens if I Join?

If you choose to join this lawsuit, your interests will be represented by the Plaintiffs' attorneys at the law firms of Nichols Kaster, PLLP, and Fitapelli & Shaffer, LLP. The Plaintiffs' attorneys have taken this case on a contingency fee basis. This means they will only be paid if there is a monetary recovery through a settlement, judgment, or award in your favor. If there is a recovery, the Plaintiffs' attorneys will receive a part of any recovery obtained in your favor.

If Defendants prevail and the Court awards costs of litigation to Defendants, you may be assessed a pro rata share of the costs.

### 5. What if I Choose Not to Participate?

If you do not wish to participate, you will not be affected by any judgment or award, and you will not be included in any settlement in this case. You may instead choose to bring your own action or do nothing. The FLSA has time limits called "statutes of limitations." These time limits are put on hold when you join a lawsuit. However, if you do not join this lawsuit or start your own lawsuit, the time limits are not put on hold.

#### 6. Can My Employer Retaliate Against Me for Participating?

The law does not allow employers to retaliate against employees for participating in a lawsuit against them. If you currently work as an Agent where you gather applications for Lifeline phones and services through Assurance Wireless, and you believe it is retaliating against you or if someone is threatening to retaliate against you, then please inform the Plaintiffs' attorneys immediately.

THIS NOTICE AND ITS CONTENT HAS BEEN AUTHORIZED BY THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK. THE COURT HAS MADE NO DECISION IN THIS CASE ABOUT THE MERITS OF THE PLAINTIFFS' CLAIMS OR THE DEFENDANTS' DEFENSES.

#### WALLACE MORGAN, INC. PLAINTIFF CONSENT FORM

- 1. I consent to make a claim under the Fair Labor Standards Act, 29 U.S.C. § 201, et seq. against my current/former employer(s), Wallace Morgan, Inc. and any, to recover unpaid wages.
- 2. During the past three years, the companies referenced above did not pay me at least the federal minimum wage for all of the hours I worked as a "account executive," "corporate trainer," "sales rep," or similar title, Wallace Morgan, Inc. to market Assurance Wireless' services for the Lifeline Program. In addition, there were occasions during the past three years when I worked more than 40 hours in a week and did not receive overtime compensation.
- 3. If this case does not proceed collectively, then I also consent to join any subsequent action to assert these claims against Wallace Morgan, Inc. and affiliates.
- 4. I understand that I may withdraw my consent to proceed with my claims at any time by notifying the attorneys handling the matter.

Date:

	Signature	
	Print Name	
Information Below V	Will Be Redacted in Filings with the Court. Please Print or Typ	pe.
Address:		
City, State Zip:		
Best Phone Number(s):		
Email:		
Return this form by fax, email or mail to:	Nichols Kaster, PLLP, Attn: Anna P. Prakash Fax: (612) 215-6870 Email: forms@nka.com; Web: www.nka.com	

Address: 4600 IDS Center, 80 S. 8th Street Minneapolis, MN 55402